



STATE OF ARIZONA

JANICE K. BREWER
GOVERNOR

EXECUTIVE OFFICE

July 13, 2009

The Honorable Kirk Adams
Speaker
Arizona House of Representatives
1700 W. Washington
Phoenix, Arizona 85007

RE: HB 2258; Consumer Fireworks

Dear Speaker Adams,

Today I reluctantly vetoed House Bill 2258 *Consumer Fireworks*. I have been a supporter of responsible fireworks usage dating back to the time I served in the Legislature. However, I fear the language contained in this specific bill does not sufficiently address the risk of fire on federal, state, and county lands. As you well know Arizona is very susceptible to wildfire, particularly during our driest months.

Over the course of the last several days I have received numerous contacts from opponents deeply concerned about the ramifications of this legislation. They include contacts from multiple municipal jurisdictions including rural and urban elected officials. I have also received written opposition to this legislation from the United States Forest Service, as they share many state and local official's concerns over an increased potential for wildland fires.

I encourage the stakeholders to work together to develop a plan that protects individual rights and allows Arizona residents to enjoy fireworks in a responsible manner while also addressing the risk of fire on our local, county and state public lands.

Sincerely,

Janice K. Brewer
Governor

JKB/nb

cc: The Honorable Bob Burns
The Honorable Andy Biggs
The Honorable Ken Bennett



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GOVERNOR

EXECUTIVE OFFICE

July 13, 2009

The Honorable Kirk Adams
Speaker of the House
Arizona House of Representatives
1700 W. Washington
Phoenix, AZ 85007

RE: House Bill 2341; renewable energy production tax credit

Dear Speaker Adams:

Today I, with much deliberation, vetoed HB 2341. This bill attempted to revise current tax credits for the production of renewable energy to keep pace with similar tax credits offered by neighboring states. The bill sought to apply these credits against tax liabilities of the energy producer for new sources of power-generated beginning in 2010, instead of offering refundable tax credits.

While these efforts are necessary and should produce much needed renewable energy investment in Arizona, the bill goes too far in that there is no cap on the amount of tax credits which can be garnered by large scale solar energy producers. Both OSPB and the Department of Commerce expressed concern that there is no way to know how many potential tax dollars are being offered in this legislation because there is no way to know how many new megawatt hours may be produced over the next ten years. Some preliminary calculations have suggested that a single 100MW concentrated solar facility could claim tax credits in excess of \$88 million over the ten-year period. That example facility is relatively small compared to the several being proposed at the moment.

I support the concepts being advanced by this legislation and urge lawmakers to revisit the tax credits specifically by placing a reasonable cap on the amount of credit that can be claimed. In order to prevent any delay which may send the wrong message to renewable energy producers interested in our State, I will immediately amend the "call" of the current special session to allow consideration of a revised version of this bill.

Sincerely,

Janice K. Brewer
GOVERNOR

JKB/ma

Cc: The Honorable Bob Burns
The Honorable. Lucille L. Mason
The Honorable Ken Bennett



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EXECUTIVE OFFICE

The Honorable Kirk Adams
Speaker of the House
Arizona House of Representatives
1700 West Washington Street
Phoenix, Arizona 85007

Re: House Bill 2369; (NOW: noncustodial federal monies; legislative appropriation)

Dear Speaker Adams:

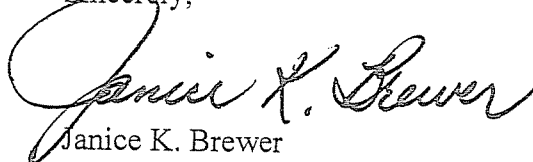
Today I vetoed HB 2369; noncustodial federal monies; legislative appropriation, which would have granted the Legislature the authority to appropriate non-custodial federal funds received by state budget units.

Upon becoming Governor, I articulated the need to put Arizona's fiscal house in order and swiftly delivered a Five Point Plan to accomplish this objective. To subject federal funds to legislative appropriation would unnecessarily complicate the administration of those programs and divert the Legislature's attention away from creating real solutions to our state's fiscal problems. Appropriating federal funds is not the solution to our state's budget crisis.

I look forward to working with the bill sponsor and the Legislature to bring about the comprehensive budget solution our state so desperately needs.

For those and other reasons, I have vetoed HB 2369.

Sincerely,


Janice K. Brewer
Governor

JKB/nb

cc: The Honorable Robert Burns
The Honorable Rick Murphy
The Honorable Ken Bennett



STATE OF ARIZONA

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GOVERNOR

EXECUTIVE OFFICE

July 13, 2009

The Honorable Bob Burns
President
Arizona State Senate
1700 W. Washington
Phoenix, Arizona 85007

RE: SB 1017; multiple sclerosis awareness special plates

Dear President Burns,

Today, I vetoed Senate Bill 1017 which would have created the Multiple Sclerosis Awareness special license plate and Fund, the Arizona Masonic Fraternity special license plate and Fund, the Hunger Relief special license plate and Fund and the Childhood Cancer Research special license plate and Fund.

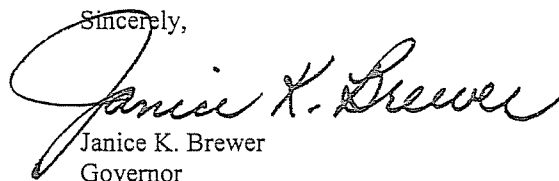
I share the goals of the bill sponsor to create awareness and a funding source for these important causes. Unfortunately, this bill as amended contains a flaw that could easily have been fixed, but was not.

SB 1017 states that the funds accumulated from the childhood cancer research fund shall be allocated by the Department of Health Services director "as directed by the person or entity" who initiates the special plates process. This language is problematic because it allows a non-governmental entity the power to control the decisions of a state agency. Once these funds are deposited with a state agency, they become state funds and are subject to the restrictions of state law and procurement codes. The language may also violate Arizona's constitutional gift clause. Other special plate funds statutorily allow a state agency director to distribute the funds or require a director to distribute the funds to an organization with a 501c3 status.

It is important to note that this provision was originally proposed by Senator Pamela Gorman as SB 1374 license plates; childhood cancer research. The Department of Health Services and the Department's representative from the Attorney General's office found the provision and contacted the Senator's office to express concerns and offer amended language conforming the bill to other special plate funds. These communications occurred in February, yet no changes were made to this provision before it was adopted to SB 1017 in the last days of session.

For those and other reasons, I have vetoed SB 1017.

Sincerely,



Janice K. Brewer
Governor

Cc: The Honorable Kirk Adams
The Honorable Linda Gray
The Honorable Ken Bennett

1700 WEST WASHINGTON STREET, PHOENIX, ARIZONA 85007
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JANICE K. BREWER
GOVERNOR

July 13, 2009

The Honorable Bob Burns
President
Arizona State Senate
1700 W. Washington
Phoenix, Arizona 85007

Re: SB 1022; political signs; tampering

Dear President Burns,

Today, I vetoed Senate Bill 1022 which would have prohibited the removal of political signs that support or oppose candidates for public office or ballot measures from public rights-of-way.

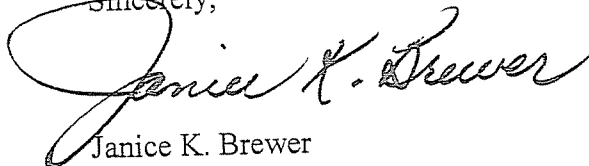
The bill states that if the state, city, town or county deems that the placement of a political sign constitutes an emergency, the jurisdiction may immediately relocate the sign. A government worker relocating a political sign is against other state laws that prohibit a city or county from expending public monies to influence the outcome of an election.

The bill also allows the removal of a sign 24 hours after a notification is made to a candidate. This would prohibit the state, a city or county from removing a sign that is clearly a traffic hazard in order to contact a candidate.

While this bill was amended to specify size limitations and prohibit an attachment to traffic signal poles, campaign signs placed in public rights-of-way are a constant challenge to citizens, counties, cities and the state.

This bill is a preemption of local citizens' preferences to regulate such signage in their own communities and allows a political candidate to post signs virtually anywhere.

Sincerely,


Janice K. Brewer
Governor

cc: The Honorable Kirk Adams
The Honorable Jim Waring
The Honorable Ken Bennett



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EXECUTIVE OFFICE

July 13, 2009

The Honorable Bob Burns
President
Arizona State Senate
1700 W. Washington Street
Phoenix, Arizona 85007

Re: Senate Bill 1464; state budget reports; financial condition

Dear President Burns:

Today I vetoed Senate Bill 1464, which requires the State Treasurer to prepare an annual financial condition statement for the Governor, President of the Senate and Speaker of the House of Representatives.

My five-point plan calls for substantive reforms in the way the State of Arizona forecasts revenues and also called for reforms to ensure that the State of Arizona balances on-going revenues with on-going expenses. While Senate Bill 1464 addresses some of the issues raised by the Executive, it comes up short of a comprehensive, collaborative solution.

Senate Bill 1464 provides for several new statements regarding revenues and expenditures. The State Treasurer would be required to provide an estimate of "probable receipts and disbursements from the treasury" for the current year and an itemized estimate of anticipated revenues for the next two fiscal years.

The Treasurer is the state's banker and cash manager. Any revenue forecasting undertaken by the Treasurer's office would be reliant on the Department of Administration's accounting systems and the Department of Revenue's tax collection tracking systems. In addition, the Executive and Legislative Branches already have internal and contractual expertise in revenue forecasting. Transferring the responsibility of forecasting revenues to the Treasurer's office would not be an efficient solution and would

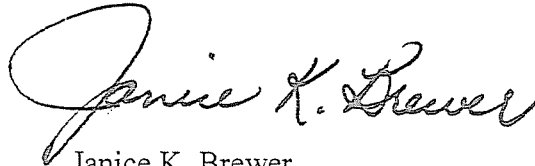
The Honorable Bob Burns
July 13, 2009
Page 2

not encourage collaboration between the Executive Branch and the Legislative Branch to reach a consensus revenue estimate upon which sound budgets can be based.

Senate Bill 1464 also calls for expenditure reporting requirements that are similar in concept to the constitutional expenditure limits imposed on Arizona local governments and TABOR (Taxpayer Bill of Rights) in other states. Unfortunately, the formula prescribed in Senate Bill 1464 contains inconsistencies that make meaningful conclusions difficult. For example, the spending increases for K-12 enrollment is included as an adjustment, but neither university nor community college enrollments are considered.

For these and other reasons, I have vetoed Senate Bill 1464.

Sincerely,

A handwritten signature in cursive script that reads "Janice K. Brewer". The signature is fluid and elegant, with the first name "Janice" being the most prominent part.

Janice K. Brewer
Governor

cc: The Honorable Kirk Adams
The Honorable Pamela Gorman
The Honorable Jack W. Harper
The Honorable Ken Bennett